

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Almond Tree Hulling Co.; Arakelian Farms;
Baugher Ranch; Beretta Property Management;
Campos Brothers Farms; Central California
Almond Growers Association; Central Valley
Almond Association, Inc.; CF Koehen & Sons,
Inc.; Dairyland Hullers; Farmers Cooperative;
Harriet Baldwin; Harris-Woolf Almond Huller;
Hashem Naraghi; Hilltop Circle L. Ranch;
James M. Paiva; James R. Lewis Orchards Inc.;
John Wynn; Mintum Almond Coop, Inc.; North
State Hulling Co-op, Inc.; Pacific Almond Co.;
Paramount Farms, Inc.; Paramount Farming
Company; Parreira Almond Processing Co.;
Peter D. Peterson; Stewart and Jasper Orchards;
South Valley Farms; Strain Orchards; The Hulling
Company; TM Duche Nut Co. Inc.;
Vernon Paddack; West Valley Hulling/Barry
Baker; Xcel Shelling, LLC.,

Complainants,

vs.

Pacific Gas and Electric Company and DOES 1
through 100,

Defendant.

Case 04-01-020
(Filed January 21, 2004)

ORDER EXTENDING STATUTORY DEADLINE

Pub. Util. Code § 1701.2(d) provides that adjudicatory cases, such as this one, shall be resolved within 12 months of initiation unless the

Commission makes findings why that deadline cannot be met and issues an order extending that deadline.

In this proceeding, the 12-month deadline for resolving the investigation was January 21, 2005. Although the Presiding Officer timely issued the Presiding Officer's Decision (POD) on October 25, 2004, Complainants filed an appeal to the POD in November 2004. Defendants filed their response in December 2004. However, the term of the originally Assigned Commissioner also expired in December 2004. Therefore, this proceeding did not have an Assigned Commissioner until the case was reassigned on February 22, 2005. As a result, additional time is appropriate to allow the newly Assigned Commissioner to review the matter fully and for the Commission to consider the modified POD.

Assignment of Proceeding

Michael R. Peevey is the newly Assigned Commissioner and Myra J. Prestidge is the assigned Administrative Law Judge and Presiding Officer in this proceeding.

Comments on Draft Decision

Under Rule 77.7(f)(4) of the Commission's Rules of Practice and Procedure, the Commission may reduce or waive the period for public review and comment of draft decisions extending the deadline for resolving adjudicatory proceedings. Accordingly, pursuant to Rule 77.7(f)(4), the otherwise applicable Pub. Util. Code § 1701.2(d) statutory deadline for public review and comment is being waived.

Findings of Fact

1. This proceeding was initiated on January 21, 2004.
2. Based upon the 12-month statutory deadline, this proceeding must be resolved on or before January 21, 2005, unless this date is extended.

3. Additional time is needed for the issuance of a modified POD because of the expiration of the originally Assigned Commissioner's term after the filing of Complainant's appeal and Defendant's response to the appeal.

Conclusion of Law

The 12-month statutory deadline imposed by Pub. Util. Code § 1701.2(d) should be extended until this proceeding is resolved.

IT IS ORDERED that the 12-month statutory deadline in this proceeding, January 21, 2005, is extended to and including May 31, 2005.

This order is effective today.

Dated _____, at San Francisco, California.